



## 93RD GENERAL ASSEMBLY

### State of Illinois

#### 2003 and 2004

Introduced 02/09/04, by Patricia R. Bellock

#### SYNOPSIS AS INTRODUCED:

720 ILCS 550/5.3 new  
720 ILCS 570/407.3 new

Amends the Cannabis Control Act. Creates the offense of illegal transmission of cannabis information by the Internet. Provides that it is a Class A misdemeanor to transmit information about cannabis by the Internet to a specific individual with the intent that the information will be used by that individual in furtherance of illegal activity. Amends the Illinois Controlled Substances Act. Creates the offense of illegal transmission of controlled substance information by the Internet. Provides that it is a Class A misdemeanor to transmit information by the Internet about a controlled substance to a specific individual with the intent that the information will be used by that individual in furtherance of illegal activity. Exempts a library that provides Internet access and is unaware of the transmission made by the library patron who uses a library computer to access the Internet.

LRB093 17970 RLC 43653 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

1 AN ACT in relation to the transmission of drug information  
2 by the Internet.

3 **Be it enacted by the People of the State of Illinois,**  
4 **represented in the General Assembly:**

5 Section 5. The Cannabis Control Act is amended by adding  
6 Section 5.3 as follows:

7 (720 ILCS 550/5.3 new)

8 Sec. 5.3. Illegal transmission of cannabis information by  
9 the Internet.

10 (a) A person commits the offense of illegal transmission of  
11 cannabis information by the Internet when he or she transmits  
12 information about cannabis by the Internet to a specific  
13 individual with the intent that the information will be used by  
14 that individual in furtherance of illegal activity.

15 (b) Illegal transmission of cannabis information by the  
16 Internet is a Class A misdemeanor.

17 (c) In this Section:

18 "Internet" means an interactive computer service or system  
19 or an information service, system, or access software provider  
20 that provides or enables computer access by multiple users to a  
21 computer server, and includes, but is not limited to, an  
22 information service, system, or access software provider that  
23 provides access to a network system commonly known as the  
24 Internet, or any comparable system or service and also  
25 includes, but is not limited to, a World Wide Web page,  
26 newsgroup, message board, mailing list, or chat area on any  
27 interactive computer service or system or other online service.

28 "Access" and "computer" have the meanings ascribed to them  
29 in Section 16D-2 of the Criminal Code of 1961.

30 (d) It is not a violation of this Section for an employee  
31 of a public library or a library of an institution of higher  
32 learning to provide a person access to Internet services

1 through the library's computer network or the library's  
2 computer if, without knowledge by the employee of the library,  
3 the patron of the library transmits, by use of the library's  
4 computer access to the Internet, information in violation of  
5 this Section.

6 Section 10. The Illinois Controlled Substances Act is  
7 amended by adding Section 407.3 as follows:

8 (720 ILCS 570/407.3 new)

9 Sec. 407.3. Illegal transmission of controlled substance  
10 information by the Internet.

11 (a) A person commits the offense of illegal transmission of  
12 controlled substance information by the Internet when he or she  
13 transmits information about a controlled substance by the  
14 Internet to a specific individual with the intent that the  
15 information will be used by that individual in furtherance of  
16 illegal activity.

17 (b) Illegal transmission of controlled substance  
18 information by the Internet is a Class A misdemeanor.

19 (c) In this Section:

20 "Internet" means an interactive computer service or system  
21 or an information service, system, or access software provider  
22 that provides or enables computer access by multiple users to a  
23 computer server, and includes, but is not limited to, an  
24 information service, system, or access software provider that  
25 provides access to a network system commonly known as the  
26 Internet, or any comparable system or service and also  
27 includes, but is not limited to, a World Wide Web page,  
28 newsgroup, message board, mailing list, or chat area on any  
29 interactive computer service or system or other online service.

30 "Access" and "computer" have the meanings ascribed to them  
31 in Section 16D-2 of the Criminal Code of 1961.

32 (d) It is not a violation of this Section for an employee  
33 of a public library or a library of an institution of higher  
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1 through the library's computer network or the library's  
2 computer if, without knowledge by the employee of the library,  
3 the patron of the library transmits, by use of the library's  
4 computer access to the Internet, information in violation of  
5 this Section.